



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/087,844	03/05/2002	Idan Feigenbaum	1106-US	8301
24505	7590	03/22/2005	EXAMINER	
DANIEL J SWIRSKY PO BOX 2345 BEIT SHEMESH, 99544 ISRAEL			ELISCA, PIERRE E	
			ART UNIT	PAPER NUMBER
			3621	

DATE MAILED: 03/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

✓

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/087,844	FEIGENBAUM, IDAN
	<b>Examiner</b>	<b>Art Unit</b>
	Pierre E. Elisca	3621

✓

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 05 March 2002.

2a)  This action is **FINAL**.                            2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

4)  Claim(s) 1-38 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_ is/are allowed.

6)  Claim(s) 1-38 is/are rejected.

7)  Claim(s) \_\_\_\_\_ is/are objected to.

8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are: a)  accepted or b)  objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)  Notice of References Cited (PTO-892)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date .  
4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_ .  
5)  Notice of Informal Patent Application (PTO-152)  
6)  Other: \_\_\_\_\_

## DETAILED ACTION

1. This Office action is in response to Application No. 10/087,844, filed on 03/05/2002.
2. Claims 1-38 are pending.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1-38 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Bastiaasen et al (WO 01/82560 A2) in view of Wilf et al (WO 02/08853 A2).

As per claims 1-4 and 8-35 Bastiaasen substantially discloses a system/method for determining the geographic location of the a user and on the basis of his location for connecting the user to the most appropriate local server (or ATM) in respect of his location, the method comprising:

Determining a network address (or ATM address) associated with an online payer in connection with an online payment instruction; comparing said online payer location to a valid payment location profile associate with said payment instruction identification

(see., abstract, fig 1, pages 1-2, it is obvious to realize that user or payer can send or receive payment via a server or an ATM );

Determining an online payer location associated with said network address (see., abstract, fig 1, pages 1-2);

Receiving a payment instruction identification from said online payer (see., abstract, fig 1, pages 1-2). It is to be noted that Bastiaasen fails to explicitly disclose identifying said online payment instruction as a fraudulent online. However, Wilf discloses a system/method for verifying or identifying the network address of the user based on the user identification. Please note that the process of verifying or identifying the network address also includes matching user payment location profile (see., abstract, pages 3-21). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of Bastiaasen by including the limitation detailed above as taught by Wilf because this would detect the network address of the user and forwarding the information associated with the user to the service provider for identifying user location profile.

As per claim 5, Wilf discloses the claimed method wherein said determining step a) comprises determining said network address of a communications device through which said online payer makes said online payment instruction (abstract, pages 3-5).

As per claim 6, Bastiaasen discloses the claimed method wherein said determining step a) comprises determining an IP address of said communication device (see., page 3).

As per claim 7, Bastiaasen discloses the claimed method wherein said determining step b) comprises representing said online payer location as a geographical location (see., abstract).

As per claims 36 and 37 Bastiaasen substantially discloses a system/method for determining the geographic location of the a user and on the basis of his location for connecting the user to the most appropriate local server (or ATM) in respect of his location, the method comprising:

comparing said online payer location to a valid payment location profile associate with said payment instruction identification (see., abstract, fig 1, pages 1-2, it is obvious to realize that user or payer can send or receive payment via a server or an ATM ).

It is to be noted that Bastiaasen fails to explicitly disclose identifying said online payment instruction as a fraudulent online. However, Wilf discloses a system/method for verifying or identifying the network address of the user based on the user identification. Please note that the process of verifying or identifying the network address also includes matching user payment location profile (see., abstract, pages 3-21). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of Bastiaasen by including the limitation detailed above as taught by Wilf because this would detect the network address of the user and forwarding the information associated with the user to the service provider for identifying user location profile.

***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pierre E. Elisca whose telephone number is 703 305-3987. The examiner can normally be reached on 6:30 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 703 305-9769. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Pierre Eddy Elisca

**Primary Patent Examiner**

**March 15, 2005**